
MISSOURI DEPARTMENT OF CORRECTIONS

** DEPARTMENT MANUAL **

D2-11.10 Employee Conduct

May 15, 2000
Dora B. Schriro, Department Director Effective Date

I. **PURPOSE:** This procedure provides guidance concerning employee professionalism, conduct and job performance.

A. **AUTHORITY:** 105.055, 217.040, Chapter 36 RSMo; 1 CSR
20-3.070.2

B. **APPLICABILITY:** All employees of the Department of Corrections.

II. **DEFINITIONS:**

A. **Chief Administrative Officer:** The chief administrative officer is the highest ranking individual at the work site, as designated below. Exception: Employees at a work site who do not report to the work site chief administrative officer will be approved by assistant division directors/central office section heads who are in their chain of command.

1. Director's Office:

- a. Deputy Director
- b. Assistant Deputy Director

2. Department Sections in the Director's Office:

- a. Deputy Director
- b. Assistant Deputy Director
- c. Central Office Section Heads

3. Division of Probation and Parole:

- a. Division Director
- b. Chief State Supervisor
- c. Assistant Division Directors
- d. Superintendents
- e. Probation & Parole Administrators
- f. District Administrators

4. Division of Adult Institutions:

- a. Division Director
- b. Assistant Division Directors
- c. Assistant to Division Director
- d. Superintendents
- 5. Division of Offender Rehabilitative Services:

- a. Division Director
- b. Assistant Division Directors
- c. Superintendents
- d. Central Office Section Heads

- 6. Division of Human Services:

- a. Division Director
- b. Central Office Section Heads

B. Immediate Family: For the purpose of this procedure, immediate family shall include:

- 1. spouse,
- 2. parents/step-parents and their spouses,
- 3. siblings/step-siblings and their spouses,
- 4. grandparents/step-grandparents and their spouses,
- 5. legal guardian and their spouse,
- 6. children/step-children and their spouses,
- 7. one person designated as a significant other, and
- 8. grandchildren/step-grandchildren.

C. Offender: Any individual under the custody/supervision of the Department of Corrections.

D. Unavoidable Contact: The department realizes that employees may have family members who are under the supervision or custody of the department. Employees may, by present or future social and/or business association, come into contact with an offender and/or offender family members. Therefore, an employee may not be able to completely avoid association with offenders or their families. However, it should be understood by employees that these types of association may create a conflict of interest.

III. PROCEDURES:

- A. Professional Principles:

1. As employees of the Missouri Department of Corrections, we strive toward excellence in our every action and adhere to professional principles that guide us in making ethical decisions and acting in an ethical manner.

We believe:

- a. that public trust is enhanced when staff abide by the laws and adhere to the highest level of ethical and moral behavior;
- b. in the continuous pursuit of organizational excellence;
- c. that all persons should be treated respectfully, fairly, honestly and with dignity;
- d. in the empowerment of all staff to perform their job responsibly;
- e. that our actions affect the safety and security of everyone; public trust and public confidence are enhanced by our professional and personal conduct and our actions influence the public's opinion of our organization;
- f. in the power of team work;
- g. that all individuals must be accountable for their actions;
- h. in the importance of looking for similarities while also accepting and respecting the differences in people;
- i. that effective and open communication at all levels is essential;
- j. in the continuous development of staff.

B. Employee Personal Code of Conduct:

1. As an employee of the Missouri Department of Corrections, I strive toward excellence in my every action and adhere to professional principles that guide me in making ethical decisions and acting in an ethical manner.

I believe:

- a. that public trust is enhanced when I abide by the laws and practice the highest level of ethical and moral behavior;

- b. I should always strive for excellence;
- c. I should treat all people with respect, fairness, honesty and dignity;
- d. I should always perform my job in a responsible manner;
- e. my actions affect the safety and security of everyone;
- f. I have the responsibility to report inappropriate actions or misconduct of my peers to appropriate personnel and they must do the same should I falter;
- g. I look for the similarities but also accept and respect the differences in people;
- h. my peers and I are most effective when we communicate openly with each other;
- i. my ability to continue to provide the best service to the department and the public is incumbent on my continued growth and development.

C. Professionalism:

- 1. Employees are required to be familiar with and adhere to:
 - a. their respective job components and job expectations established through the performance appraisal system;
 - b. the policies and procedures relating to their job function;
 - c. the employee handbook;
 - d. D2-11 Employee Standards, which details the code of ethics for government service and the department code of ethics, as well as D2-11.8 Employee Personal Appearance, which sets standards for employee personal appearance;
 - e. the departmental Professional Principles; and
 - f. the Employee Personal Code of Conduct.
- 2. Employees are expected to represent to the public the highest moral, ethical and professional standards and must accept as a condition of employment a code of personal conduct beyond that of an employee in the

private sector or some other public sector positions.

3. Employees are expected to create by their attitude, dress, language and general demeanor a working environment free from actual or implied discrimination or harassment of any nature relating to race, color, religion, creed, sex, national origin, age or disability (or perceived disability).

D. Causes For Suspension, Demotion and Dismissal: Employees may be suspended, demoted or dismissed for willful violation of any provisions of the State Merit System Law or of the rules of the Personnel Advisory Board or D2-11 Employee Standards.

E. Association With Offender, Offender's Family and/or Significant Others:

1. It is unprofessional for an employee to have any avoidable contact or association with an offender, the offender's family and/or significant other unless specifically authorized as part of their job function while the offender is under the custody or supervision of the department.
 - a. Contact includes, but is not limited to, oral or written communication, business or social associations and any other act of over familiarity.
2. Employees who have family members, significant others or have unavoidable contact with an offender under the jurisdiction of the department, are required to notify in writing the chief administrative officer of their work site through the chain of command. Said notice shall be placed in the employee's working personnel file.
 - a. The department reserves the right to request that an employee discontinue such contact or association.
 - b. The request to discontinue association shall be in writing from the assistant director of the appropriate division.
 - c. Failure to obey this request can result in disciplinary action.
3. Employees shall not give their own or fellow employee telephone numbers or addresses to an offender, offender's family and/or significant others, unless specifically authorized.
4. Employees are strictly prohibited from receiving or giving anything to an offender, offender's immediate

family member and/or significant other, except those items authorized in the usual course of business.

5. Employees shall not remove from or bring into, or attempt to remove from or bring into, an institution or other area under jurisdiction of the department any article, message or letter for an offender without proper authorization, unless such is a part of their job function.

F. Arrest of an Employee: All arrests, indictments and/or convictions, including suspended imposition of sentence and suspended execution of sentence, for other than traffic violations, are to be immediately reported to the employee's immediate supervisor. This shall include the reason for arrests, indictments or convictions for all felony charges, any non-traffic misdemeanor offenses and for the traffic offense of driving while intoxicated or under the influence of alcohol or drugs.

1. Traffic arrests or tickets received while operating a state vehicle shall be reported in writing to the immediate supervisor.
2. In the event an employee is to appear in court on a charge other than for a minor traffic violation, the employee shall advise her/his supervisor prior to the scheduled court date. In any case other than minor traffic violations which resulted in the arrest or indictment of an employee, the involved employee shall advise her/his supervisor of the disposition of the case.
3. The employee shall provide a detailed written report by the next work day explaining the circumstances surrounding the arrest or indictment, including the date of arrest.
4. Upon request the involved employees shall authorize in writing appropriate departmental officials to obtain copies of investigative reports related to the case under investigation.
5. Supervisors will maintain copies of reports, documents and correspondence relative to arrest of an employee in the working file. If the incident is of sufficient importance to be reported to higher levels of authority, copies of all reports, documents and correspondence will be forwarded with the report of the incident.

G. Reporting Misconduct:

1. Employees having knowledge of any instances of offender abuse shall immediately report such to the inspector

general in accordance with D5-3.5 Offender Abuse.

2. Employees are obligated to immediately report any misconduct as described in this procedure through the appropriate chain of command. If there is reason to believe that an employee in the chain of command may be involved in the alleged misconduct, then the employee should report the matter to the next higher level of management in the department. A copy of Missouri Statute 105.055 will be posted in locations where it can reasonably be expected to come to the attention of all employees of this department.
 - a. Employees shall report actual or attempted theft of department property or the property of others.
 - b. Employees shall report any unauthorized possession of, loss or damage to state property or the property of others, or endangering of state property or property of others through carelessness.
 - c. Employees shall report any neglect of job responsibility on the part of an employee which would jeopardize the security of the work place.

H. Reporting Mismanagement:

1. No supervisor or appointing authority of the department shall prohibit any employee of the agency from discussing the operations of the agency, either specifically or generally, with any member of the legislature or the state auditor.
2. No supervisor or appointing authority of the department shall:
 - a. prohibit an employee from or take any disciplinary action whatsoever against a state employee for the disclosure of any alleged prohibited activity under investigation or any related activity, or for the disclosure of information which the employee reasonably believes evidences:
 - (1) a violation of any law, rule or regulation; or
 - (2) mismanagement, a gross waste of funds or abuse of authority, or a substantial and specific danger to public health or safety, if the disclosure is not specifically prohibited by law; or
 - (3) requires any such employee to give notice to the supervisor or appointing authority prior

to making any such report.

3. This section shall not be construed as:

- a. prohibiting a supervisor or appointing authority from requiring that an employee inform the supervisor of legislative requests for information about the agency; or the information provided, or to be provided, to legislators;
- b. permitting an employee to leave the employee's assigned work area during normal work hours without following applicable rules and regulations and policies pertaining to leaves, unless the employee is requested by a legislator or legislative committee to appear before a legislative committee;
- c. authorizing an employee to represent the employee's personal opinions as the opinions of a state agency; or
- d. restricting or precluding action taken against a state employee if the employee knows the disclosure to be false or which the employee discloses with reckless disregard for its truth or falsity; the information is closed or is confidential under the provisions of the open meetings law or any other law; or the disclosure relates to the employee's own violations, mismanagement, gross waste of funds, abuse of authority or endangerment of the public health or safety.

IV. ATTACHMENT:

- A. None

V. REFERENCES:

- A. D2-11 Employee Standards
- B. D2-11.8 Employee Personal Appearance

VI. HISTORY:

- A. Original Effective Date: 05/08/89
- B. Revised Effective Date: 04/23/90
- C. Revised Effective Date: 09/15/93
- D. Revised Effective Date: 04/20/99
- E. Revised Effective Date: 05/15/00